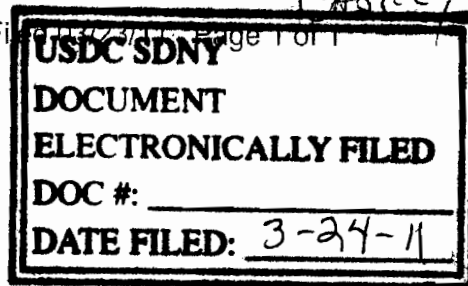


Case 1:10-cv-04997-PKC Document 16 Filed 03/23/11 Page 1 of 1



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
MARSHALL A. ELKINS,

Plaintiff,

- against -

ART CAPITAL GROUP, INC.,

Defendant.
-----X

Civil Action No. 10-CV-4997 (PKC)

ECF CASE

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties to this action, by their attorneys, hereby stipulate that this action, including all claims and counterclaims, is dismissed with prejudice. Each party shall bear its own attorneys' fees, costs, and expenses.

Dated: March 22, 2011

FRIEDMAN & WITTENSTEIN
A Professional Corporation

By: Andrew A. Wittenstein
Andrew A. Wittenstein (AW-1943)
Mary H. Dontzin (MD-0788)

600 Lexington Avenue
New York, New York 10022
(212) 750-8700

*Attorneys for Plaintiff
Marshall A. Elkins*

WOLLMUTH MAHER & DEUTSCH LLP

By: William F. Dahill
William F. Dahill (WD-8618)
Serena M. Parker (SP-4426)

500 Fifth Avenue
New York, New York 10110
(212) 382-3300

*Attorneys for Defendant
Art Capital Group, Inc.*

DO ORDER

U.S.D.J.

3-24-11